

**NEW ENGLAND CONFERENCE OF PUBLIC UTILITIES COMMISSIONERS, INC.**  
**500 U. S. Route One, Suite 21C**  
**Yarmouth, Maine 04096**  
**207.846.5440**

Anne C. George  
President

William M. Nugent  
Executive Director

January 10, 2007

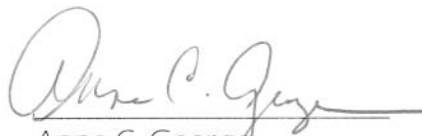
The Honorable Magalie Roman Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Re: ISO New England, Inc. and NEPOOL, Docket No. EL07-21-000

Dear Secretary Salas:

Please accept via electronic filing in the above-captioned docket a Motion To Intervene and Comments of The New England Conference of Public Utilities Commissioners, Inc.

Very truly yours,

  
Anne C. George  
President

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL REGULATORY COMMISSION**

New England Independent Transmission )  
Company LLC )

Docket No. EL07-21-000

**Motion To Intervene and Comments of  
The New England Conference of Public Utilities Commissioners, Inc.**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), the Notice of Filing issued on December 14, 2006 and the Notice of Extension of Time issued on December 22, 2006, the New England Conference of Public Utilities Commissioners, Inc. ("NECPUC") hereby files this Motion to Intervene and Comments in the above-captioned docket concerning the Petition for Declaratory Order of New England Independent Transmission Company, LLC Requesting Findings Regarding Independence Criteria and Capabilities ("Petition") filed by the New England Independent Transmission Company ("New England ITC") on December 4, 2006.

**I. BACKGROUND**

On December 4, 2006, New England ITC filed a petition for declaratory order asking the Commission to find that New England ITC meets the independence and capability requirements of Attachment M of the ISO's OATT regarding independent companies ("ITCs").

New England ITC requests that the Commission make the requested findings by January 31, 2007 so that the company may have its project considered in the 2007 Regional System Planning process. The petition states,

"If New England ITC does not obtain the requested findings in a timely manner, it will miss an entire year of the ISO NE Regional System Planning process, and development of the Green Line Project will be pushed back an entire year." Petition at 37. The filing supplies a description of the project and explains how it will seek cost recovery for the project *but makes it clear that it seeks limited findings by the FERC*. Specifically, it states, "This Petition is specifically limited to requesting the Commission findings needed under Section 1 of Attachment M (i.e., independence and capability findings) *such that New England ITC and its Green Line Project can participate in the 2007 ISO-NE Regional System Planning Process.*" Petition at 3 (emphasis added).

## **I. MOTION TO INTERVENE**

### **A. Communications**

In accordance with Rule 2010, 18 C.F.R. Sec. 385.2010 (2006), NECPUC hereby designates the following persons for service of documents in this proceeding:

On behalf of NECPUC  
Robert Luysterborghs, Esq.  
Connecticut Department of Public Utility Control  
10 Franklin Square  
New Britain, CT 06051  
860-827-2742 (Telephone)  
860-827-2613 (Facsimile)  
[robert.luysterborghs@po.state.ct.us](mailto:robert.luysterborghs@po.state.ct.us)

William Nugent  
Executive Director  
New England Conference of Public Utilities Commissioners  
500 U.S. Route One, Suite 21C  
Yarmouth, Maine 04096  
(207) 846-5440  
[bill.nugent@verizon.net](mailto:bill.nugent@verizon.net)

## **B. Basis for Intervention**

NECPUC is a not-for-profit corporation comprising all the public utilities commissioners of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. Formed over sixty years ago and funded by the New England states, NECPUC's mission is the promotion of regional cooperation and effective communication on all public utility matters within New England. As a representative of New England's interests concerning the electric industry, NECPUC has a vital stake in the operation of the New England power markets.

In this proceeding, the NE ITC seeks a ruling that it is qualified as an ITC so that it may propose to construct transmission projects in New England.

As a representative of New England's electric industry regulators, NECPUC has a direct and substantial interest in this proceeding. NECPUC requests leave to intervene in this proceeding and submits that its participation is in the public interest.

## **III. COMMENTS**

NE ITC states that the requested findings are necessary because without these findings the company may not have its "Green Line" project considered in the 2007 Regional System Planning ("RSP") process. NECPUC believes that NE ITC, or any other entity, may propose projects and participate in the RSP process whether or not it is an ITC. NECPUC requests that the Commission, consistent with the Petitioner's request, limit any decision it may make on the Petition, including any analysis, discussion and findings to the narrow issues of

whether the NE ITC possesses the necessary independence and capabilities to qualify as an ITC.

Dated: January 10, 2007

Respectfully Submitted,

On behalf of NECPUC

A handwritten signature in dark ink, appearing to read "Robert Luysterborghs", with a long horizontal flourish extending to the right.

Robert Luysterborghs, Esq  
The Department of Public Utility Control  
10 Franklin Square  
New Britain, CT 06051

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

New England Independent Transmission )  
Company LLC )

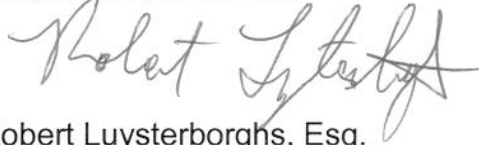
Docket No. EL07-21-000

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at New Britain, Connecticut this January 10, 2007.

On behalf of NECPUC

A handwritten signature in cursive script, appearing to read "Robert Luysterborghs".

Robert Luysterborghs, Esq.  
The Department of Public Utility Control  
10 Franklin Square  
New Britain, CT 06051